

RAVERT PLLC

Gary O. Ravert
16 Madison Square West, Fl 12, #369
New York, New York 10010
Tel: (646) 961-4770
Fax: (917) 677-5419

Special Litigation Counsel for Debtors and Debtors In Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:) Chapter 11
)
26 BOWERY LLC and) Case No.: 22-10412 (MG) and
2 BOWERY HOLDING LLC,) 22-10413 (MG)
)
Debtor In Possession.) (Jointly Administered)
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)

FEE STATEMENT OF RAVERT PLLC FOR COMPENSATION FOR SERVICES AND REIMBURSEMENT OF EXPENSES AS SPECIAL LITIGATION COUNSEL FOR THE DEBTORS FOR THE PERIOD FROM JUNE 1, 2023 TO JUNE 30, 2023

Name of Applicant:	Ravert PLLC
Retained to Provide Professional Services to:	26 Bowery LLC (“26 Bowery”) and 2 Bowery Holdings LLC (“2 Bowery”)
Date of Retention:	August 29, 2022 [ECF No. 93], Effective August 5, 2022
Period for Which Compensation and Expense Reimbursement is Sought:	June 1, 2023 through June 30, 2023
Amount of Compensation Sought as Actual, Reasonable and Necessary	26 Bowery: \$8,898.00 2 Bowery: \$7,740.00
Amount of Compensation Sought as Actual, Reasonable and Necessary	26 Bowery: \$4,076.44 2 Bowery: \$5,005.75

This statement is the fee statement (“Fee Statement”) of Ravert PLLC, special litigation

counsel to 26 Bowery and 2 Bowery (together, “Debtors”) for June 1, 2023 through June 30, 2023, filed with this Court pursuant to the *Order Establishing Procedures for Monthly and Interim Compensation and Reimbursement of Expenses of Professionals* (ECF Doc. 67) (“Monthly Compensation Order”). Ravert PLLC hereby requests: (a) compensation as allowed by the Monthly Compensation Order in the amount of (i) \$8,898.00 from 26 Bowery and \$7,740.00 from 2 Bowery for the period of June 1, 2023 through June 30, 2023 (“Fee Period”); and (b) reimbursement of actual and necessary costs and expenses as allowed in the Monthly Compensation Order in the amount of (i) \$4,076.44 from 26 Bowery and (ii) \$5,005.75 from 2 Bowery incurred by Ravert PLLC during the Fee Period in connection with these cases for a total of \$16,638.00 in fees and \$9,082.19 in total expenses of which Ravert PLLC seeks actual payment of \$13,310.40 in aggregate fees (representing 80% of aggregate fees of \$16,638.00 and \$9,082.19 in aggregate expenses. Attached as Exhibit A and B hereto are, for 26 Bowery and 2 Bowery, respectively, redacted as necessary, contemporaneously maintained time entries for each professional who provided services during the Fee Period in increments of tenths (1/10) of an hour, which includes an itemization and description of the costs and expenses incurred by Ravert PLLC during the Fee Period.

Division of Time

Where a discreet service is rendered for only one Debtor, that time is reflected in the time records of that specific Debtor. In many cases the services benefit each Debtor equally in which case the time is simply divided equally between the Debtors. A common example of this is strategy conferences, the contempt hearing, single motions affecting both Debtors equally like the contempt motion, order and judgment entry, drafting letters that address occupants in both buildings and other similar communications which make up a significant portion of the services rendered.

Further, included within this Fee Statement is a statement of the total time spent by individual professionals, setting forth the name of each individual who provided services during the Fee Period, their respective billing rates, and the aggregate hours expended by each

individual.

Pursuant to Ravert PLLC's customary billing practices, professionals, paraprofessionals and/or staff members maintain records of their billed time for services rendered in connection with the Debtors' chapter 11 cases. Thereafter, the aggregate time billed by each professional, paraprofessional and/or staff member is multiplied by their respective billing rates. The disbursements consist of an itemized list all expenses actually incurred by Ravert PLLC in connection with its representation of the Debtors including for this period, including postage and delivery charges and other expenses incurred as a result of Ravert PLLC's representation of the Debtors. There may be disbursements that were incurred during the Fee Period that are not reflected in this Fee Statement or are out of sync with the time period of this Fee Statement, but will appear in another monthly fee statement because of timing of posting of disbursements, particularly those relating to third-party vendors.

Notice and Objection Deadline

Pursuant to the Monthly Compensation Order, Ravert PLLC has filed and served this Fee Statement by email delivery to: (a) counsel to the Debtors, Leech Tishman Robinson Brog PLLC, Attn: Fred B. Ringel, 875 Third Avenue, 9th Floor, New York, New York 10022; and overnight delivery to (b) counsel to Double Bowery Funding LLC, Morrison Cohen LLP, 909 Third Avenue, 27th Floor, New York, New York 10022, Attn: Joseph T. Moldovan; and (c) the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Greg Zipes (collectively, (a)-(c) are referred to as "Notice Parties"). The Notice Parties will have fourteen (14) days after receipt of a Monthly Fee Statement ("Objection Deadline") to review the Fee Statements and, in the event that a Notice Party has an objection to the compensation or reimbursement sought in the Fee Statement, serve upon the Retained Professional whose statement is objected to and the Notice Parties, a written "Notice of Objection to Fee Statement" setting forth the nature of the objection and the amount of fees or expenses at issue. The Monthly Compensation Order provides that at the expiration of the Objection Deadline, the Debtors shall promptly pay 80% of the undisputed fees and 100% of the undisputed expenses identified in each Fee Statement to which no objection has been served in

accordance with such Monthly Compensation Order. If an objection is filed, the Debtors shall not pay the fees and/or expenses to which the objection is directed and the objection shall be resolved in accordance with such Monthly Compensation Order.

Time Keepers Related to This Fee Statement

26 Bowery:	GR – Gary O. Ravert: 24.3 Hours for a Total of	\$ 8,748.00
<u>2 Bowery:</u>	<u>GR – Gary O. Ravert: 21.5 Hours for a Total of</u>	<u>\$ 7,740.00</u>
	Total Hours/Fees	45.8.1 Hours
		\$16,488.00

26 Bowery: LC – Luca Cruz:	1.0 Hours for a Total of \$ 150.00
<u>2 Bowery: LC Luca Cruz:</u>	<u>0.0 Hours: 0 Fees: \$ 0</u>
	Total Hours/Fees
	1.0 Hours
	\$150.00

WHEREFORE, pursuant to the Monthly Compensation Order, Ravert PLLC requests payment of: (a) 80% of the aggregate compensation of \$16,638.00 in fees, or **\$13,310.40** in aggregate fees and **\$9,082.19** in aggregate expenses for a total payment of **\$22,391.59**.

RAVERT PLLC

Dated: July 26, 2023
New York, New York

/s/ Gary O. Ravert
By: /s/ Gary O. Ravert
16 Madison Square West, FL 12, #369
New York, New York 10010
Tel: (646) 961-4770
Fax: (917) 677-5419
gravert@ravertpllc.com

Special Litigation Counsel for the Debtors

EXHIBIT A

RAVERT PLLC

INVOICE
July 25, 2023

26 Bowery LLC
Brian Ryniker
c/o RK Consultants
156 Dubois Avenue
Sea Cliff, NY 11579

**Services: In re 26 Bowery LLC, Chapter 11 Case No. 22-10412 (MG) and 2 Bowery Holding LLC, Chapter 11 Case No. 22-10413 (MG) (Jointly Administered)
Chapter 11 Proceedings and Related Issues: 6-1-23 though 6-30-23**

26 Bowery Services

Project Category: Litigation

Timekeeper	Date	Description	Hours	Amount
GR	6/1/23	Prepare for and participate team meeting regarding status (.3); telephone call with L. DeLotto regarding restraining notices (.1); draft proposed order on contempt (.7); revise certification of service and email same to F. Ringel for review (.2).	1.3	\$468.00
GR	6/2/23	Additional edits to service certification (.2); contact Albany process server regarding expediting service of complaint on Cody Ng (.2); draft email to process service company regarding same (.1); communications with F. Ringel regarding certification of service and make changes as indicated (.2); additional changes to proposed order on contempt (.2); telephone call with F. Ringel regarding form of order and make change thereto (.1 - NOT BILLED); file service	1.3	\$468.00

		certification and email chambers with comments concerning same (.2); email communications with F. Ringel regarding motion for arrest warrants (.1); review entered order on contempt and discuss service addresses with C. Yee (.1).		
GR	6/3/23	Review and edit fraudulent conveyance complaint against C. Ng complaint (1.0- NOT BILLED).	0	\$0
GR	6/4/23	Continue review and edit of C. Ng complaint (1.0- NOT BILLED).	0	\$0
GR	6/5/23	Several communications with F. Ringel regarding continued contempt hearing (.1); begin draft of motion for arrest warrant (1.1); research issues related to criminal contempt (.5).	1.7	\$612.00
GR	6/6/23	Finalize first draft of motion for order of arrest and route to F. Ringel for review and comment (2.3 - To Bill 1.5, NOT BILLED .8); prepare for and take part telephone call with C. Ng regarding appearing at 2004 examination and related issues concerning lease (.3); draft email to team regarding call with C. Ng and next steps regarding same (.1); begin drafting contempt fee certification in connection with contempt order (1.0).	2.9	\$1,044.00
GR	6/7/23	Prepare contempt related hours for contempt fee certification and continue edit of fee certification (.8); telephone call with M. Ng regarding 2004 examination and surrendering 26 Bowery 5 th Floor unit (.2).	1.0	\$360.00
GR	6/8/23	Finalize and file contempt fee certification (.3); email communications with process	.8	\$288.00

		server regarding service of subpoena on Mimin Ng (.1); telephone call with M. Ng regarding examinations and surrender (.4).		
LC	6/9/23	Review F. Ringel comments to arrest motion (.1); additional research on Second Circuit law regarding bankruptcy court authority to issue arrest warrants (.5); edit motion accordingly (.3).	.9	\$324.00
GR	6/12/23	Draft Wilson Ng surrender agreements (1.1).	1.1	\$396.00
GR	6/13/23	Telephone call with L. DeLotto regarding surrender affidavits and Cody Ng examinations (.2); communications with court reporter service about C. Ng court reporter and link (.1); review three leases for 26 Bowery property (.1).	.4	\$144.00
GR	6/14/23	Working travel to M. Ng and H. Ng 2004 examination (.5 - NOT BILLED); meeting with M. Ng and call with Wilson Ng regarding settlement (.5); prepare for and conduct M. Ng 2004 examination (2.4); post-examination meeting with M. Ng regarding settlement (.4); telephone calls with L DeLotto regarding examination outcome and strategy for obtaining possession of certain units (.3); non-working travel from examination (1.0 – NOT BILLED); draft detailed email on settlement and related issues arising in 2004 examinations (.4).	4.0	\$1,440.00
GR	6/15/23	Communications with F. Ringel including review and response to email regarding next steps (.1).	.1	\$36.00
GR	6/16/23	Prepare for and appear for examination of Cody Ng (4.5).	4.5	\$1,620.00

LC	6/16/23	Prepare 20 exhibits for Cody Ng examination (1.0).	1.0 @\$150/hr	\$150.00
GR	6/18/23	Draft certification of compliance (.7); draft proposed contempt order and proposed judgment (.9).	1.6	\$576.00
GR	6/19/23	Review F. Ringel edits to contempt order and revise same (.1); finalize, file and serve certification of compliance (.2); review and revise arrest motion (.5); draft certificates of service for ejection complaint service on Cody Ng and Megne Yong at their 2004 examinations and the certification of compliance (.4).	1.2	\$432.00
GR	6/20/23	Finalize, file and serve motion for arrest order, notice and certificate of service (.7); file certificates of service of ejection complaint at exam (.1); draft detailed email to Judge Glenn concerning entry of contempt order and judgment (.1); telephone call with B. Ryniker concerning status (.1); review detailed address records for service on Anna Kam and prepare certificate of service of arrest motion (.3); communications with C. Yee regarding service of arrest motion (.1).	1.4	\$504.00
GR	6/22/23	Review newly entered contempt order and judgment and communications with C. Yee regarding proper service of same (.1).	.1	\$36.00
Totals			GR: 24.3 LC: 1.0 Total:25.3	\$8,748.00 \$ 150.00 \$8,898.00

Expenses: \$4,076.44 (including priority mail of arrest motion \$77.20; Mimin Ng witness fee \$85; Mimin Ng witness fee \$76; A-Plus process service fee \$43; Mimin Ng and Hailey Ng transcript fee \$601.40; Cody Ng transcript fee: \$651.85; \$9.85 priority mail United Process Service; \$24.13 priority mail service of transcripts of judgment; \$30 judgment recording fees;

\$184.60 Court reporter fee; \$100 NY County recording of judgment; \$89.00 certified order and transcript of judgment fees; \$40 recording of judgments in Orange, Dutchess, Rensselaer and Rockland Counties; \$28.95 priority mail of motions for default judgment; \$1,400 adversary complaints filing fees; \$238.67 copies of complaints, summons and cover sheet for service; \$105 conference room fee for Mimin Ng and Hailey Ng; \$135 C. Ng examination meeting room charge; \$61.60 for car service for transport of many documents to and from M. Ng and H. Ng examinations; \$95.02 for car service for transport of many documents to and from C. Ng examinations.

Expenses by Category:

Nature of Expense	Amount
Priority Mail Service Charges	\$ 140.30
Copy charges	\$ 238.67
Online legal research	\$ 0
Certified copies, recording fees, filing fees	\$1,659.00
Deposition Travel	\$ 156.62
Process Server Charges	\$ 43.00
<u>Deposition conference charges/transcripts</u>	<u>\$1,838.85</u>
Total	\$4,076.44

Unbilled hours: In addition to the hours of unbilled time above, no less than 5 hours of unbilled email and telephone communications, travel review of pleadings, research, document review, and related matters.

Time per Project Category:

Litigation: GR – Gary O. Ravert:	24.3 Hours for a Total of	\$8,748.00
LC – Luca Cruz:	1.0 Hours for a Total of	<u>\$ 150.00</u>
Total:		\$8,898.00

Total Time Per Timekeeper:

Timekeepers: GR – Gary O. Ravert:	24.3 Hours for a Total of	\$8,748.00
LC – Luca Cruz:	1.0 Hours for a Total of	<u>\$ 150.00</u>
Total:		\$8,898.00

BILL SUMMARY

Total Fees: \$ 8,898.00
Total Expenses: \$ 4,076.44
Grand Total: \$12,974.44
Less Retainer: (0.00)
Amount Due: \$12,974.44

Payment Info: Please make payment via or wire, Zelle, or ACH. Specific payment instructions to be provided by separate communication.

EXHIBIT B

RAVERT PLLC

INVOICE
July 25, 2023

2 Bowery Holding LLC
Brian Ryniker
c/o RK Consultants
156 Dubois Avenue
Sea Cliff, NY 11579

**Services: In re 26 Bowery LLC, Chapter 11 Case No. 22-10412 (MG) and 2 Bowery Holding LLC, Chapter 11 Case No. 22-10413 (MG) (Jointly Administered)
Chapter 11 Proceedings and Related Issues: 6-1-23 though 6-30-23**

2 Bowery Services

Project Category: Litigation

Timekeeper	Date	Description	Hours	Amount
GR	6/1/23	Prepare for and participate team meeting regarding status (.4); telephone call with L. DeLotto regarding restraining notices (.1); telephone call with D. Shen regarding clothing racks in Apartment 7 at 2 Bowery (.2); telephone call with E. Spitzer regarding locking up Apartment 7 (.2); email team regarding W. Ng and J. Ng use of Apartment 7 (.1); draft proposed order on contempt (.7); revise certification of service and email same to F. Ringel for review (.3).	2.0	\$720.00
GR	6/2/23	Additional edits to service certification (.2); communications with F. Ringel regarding certification of service and make changes as indicated (.3); additional changes to proposed order on contempt (.2); telephone call with F. Ringel regarding form of order and make change thereto (.1); file	2.3	\$828.00

		service certification and email chambers with comments concerning same (.1); email and telephone communications with United Process service regarding service of complaint on Megne Yong (.3); email communications with F. Ringel regarding motion for arrest warrants (.1 - NOT BILLED); review D. Tam 60 page transcript for transcription errors and communications with transcript service regarding same (1.0); review entered order on contempt and discuss service addresses with C. Yee (.1).		
GR	6/5/23	Several communications with F. Ringel regarding continued contempt hearing (.1); begin draft of motion for arrest warrant (1.1); research issues related to criminal contempt (.5).	1.7	\$612.00
GR	6/6/23	Finalize first draft of motion for order of arrest and route to F. Ringel for review and comment (2.3 – 1.5 To Bill, NOT BILLED .8); begin drafting contempt fee certification in connection with contempt order (1.0).	2.5	\$900.00
GR	6/7/23	Prepare contempt related hours for contempt fee certification and continue edit of contempt fee certification (.8).	.8	\$288.00
GR	6/8/23	Finalize and file contempt fee certification (.3); email communications with process server regarding service of subpoena on Hailey Ng (.1); telephone call with H. Ng regarding examinations and surrender (.1).	.5	\$180.00
GR	6/9/23	Review F. Ringel comments to arrest motion (.1); additional research on Second Circuit law	.9	\$324.00

		regarding bankruptcy court authority to issue arrest warrants (.6); edit motion accordingly (.2).		
GR	6/13/23	Telephone call with L. DeLotto regarding surrender affidavits and Mimin and Cody Ng examinations (.2).	.2	\$72.00
GR	6/14/23	Working travel to M. Ng and H. Hg 2004 examination (.5 - NOT BILLED); prepare for and conduct 2004 examination of H. Ng (2.0); post-examination meeting with H. Ng regarding settlement (.3); telephone calls with L DeLotto regarding examination outcome and strategy for obtaining possession of certain units (.3); read and mark-up William Ng transcript-errata sheet (.3); non-working travel from examination (1.0 – NOT BILLED); telephone call with Megne Yong regarding 2004 examination (.2); draft detailed email on settlement and related issues arising in 2004 examinations (.4).	3.5	\$1,260.00
GR	6/15/23	Communications with F. Ringel including review and response to email regarding next steps (.2).	.2	\$72.00
GR	6/18/23	Draft certification of compliance (.6); draft proposed contempt order and proposed judgment (.9).	1.5	\$540.00
GR	6/19/23	Travel to and from Nyack New York for Megne Yong examinations (2.0 – NOT BILLED); prepare for, appear and examine Megne Yong at 2004 examination (3.6); review F. Ringel edits to contempt order and revise same (.1); finalize, file and serve certification of compliance (.1); review and revise arrest motion (.5); draft certificates of service for ejectment complaint service on Cody Ng and Megne Yong at their	4.6	\$1,656.00

		2004 examinations and the certification of compliance (.3).		
GR	6/20/23	File certificates of service of ejectment complaint at exam (.1); draft detailed email to Judge Glenn concerning entry of contempt order and judgment (.2); telephone call with B. Ryniker concerning status (.1); telephone call with L. DeLotto concerning Megne Yong examination and related matters (.2); review detailed address records for service on Anna Kam and prepare certificate of service of arrest motion (.1); communications with C. Yee regarding service of arrest motion (.1 - NOT BILLED).	.7	\$252.00
GR	6/22/23	Review newly entered contempt order and judgment and communications with C. Yee regarding proper service of same (.1).	.1	\$36.00
Totals			GR: 21.5 LC: 0 Total: 21.5	\$7,740.00 \$0 \$7,740.00

Expenses: \$5,005.75 (including Wilson Ng transcript fee \$450.00; Hailey Ng witness fees (checks cashed) \$85; Hailey Ng witness fees \$76; A-Plus process service fee \$43; Mimin Ng and Hailey Ng transcript fee \$601.40; Megne Yong transcript fee \$624.55; service of William Ng and Megne Yong \$464.00; \$9.85 priority mail United Process Service; \$24.13 priority mail service of transcripts of judgment; \$30 judgment recording fees; \$184.60 Court reporter fee; \$100 NY County recording of judgment; \$89.00 certified order and transcript of judgment fees; \$40 recording of judgments in Orange, Dutchess, Rensselaer and Rockland Counties; \$28.95 priority mail of motions for default judgment; \$1,750 adversary complaints filing fees; \$238.67 copies of complaints, summons and cover sheet for service; \$105 conference room fee for Mimin Ng and Hailey Ng; \$61.60 for car service for transport of many documents to and from M. Ng and H. Ng examinations.

Expenses by Category:

Nature of Expense	Amount
Priority Mail Service Charges	\$ 62.93
Copy charges	\$ 238.67

Online legal research	\$ 0
Certified copies, recording fees, filing fees	\$2,009.00
Deposition Travel	\$ 61.60
Process Server Charges	\$ 507.00
<u>Deposition conference charges/transcripts</u>	<u>\$2,126.55</u>
Total	\$5,005.75

Unbilled hours: In addition to the hours of unbilled time above, no less than 10 hours of unbilled email and telephone communications, travel review of pleadings, research, document review, and related matters.

Time per Project Category:

Litigation: GR – Gary O. Ravert: 21.5 Hours for a Total of	\$7,740.00
LC – Luca Cruz: 0 Hours for a Total of	<u>\$0</u>
	\$7,740.00

Total Time Per Timekeeper:

Timekeepers: GR – Gary O. Ravert: 21.5 Hours for a Total of	\$7,740.00
LC – Luca Cruz: 0 Hours for a Total of	<u>\$0</u>
	\$7,740.00

BILL SUMMARY

Total Fees: \$ 7,740.00
Total Expenses: \$ 5,005.75
Grand Total: \$12,745.75
Less Retainer: (0.00)
Amount Due: \$12,745.75

Payment Info: Please make payment via or wire, Zelle, or ACH. Specific payment instructions to be provided by separate communication.